



DEPARTMENT OF THE NAVY  
NAVAL EDUCATION AND TRAINING PROFESSIONAL  
DEVELOPMENT AND TECHNOLOGY CENTER  
6490 SAUFLEY FIELD ROAD  
PENSACOLA, FLORIDA 32509-5237

IN REPLY REFER TO:

NETPDTCINST 5111.1A

N86

10 MAR 2003

NETPDTC INSTRUCTION 5111.1A

Subj: **GENERAL POLICY REGARDING DISCUSSIONS WITH PRIVATE  
INDUSTRY AND CONTRACTORS**

Ref: (a) Federal Acquisitions Regulations

1. **Purpose.** To establish policy regarding discussions with private industry and contractors within the Naval Education and Training Professional Development and Technology Center (NETPDTC).

2. **Cancellation.** NETPDTCINST 5111.1

3. **Background.** In accordance with reference (a), the following general policy governs **all** employee discussions with private industry and contractors.

a. When having discussions with representatives of private industry, NETPDTC personnel cannot make commitments or obligate the government in any way. Only warranted Contracting Officers can commit the government within the limits of their contracting authority. NETPDTC Contracting Officers (located in N861) are appointed in writing by the Commanding Officer.

b. When having informal discussions with industry, NETPDTC personnel should only obtain information regarding the products and capabilities offered by a contractor. NETPDTC personnel should not attempt to negotiate or reach an agreement on the terms, conditions or prices of contractor products and services.

c. NETPDTC personnel should be cautious in providing detailed information regarding command initiatives, potential programs or requirements to contractor personnel. A contractor possessing such information may generate undue pressure through various marketing methods in an attempt to gain a contract award. Federal statute prohibits both the direct and indirect use of appropriated funds for the purpose of attempting to influence legislation or appropriation, except in special circumstances. Further, information provided to industry even through informal discussions, could provide a company with an

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unfair advantage should the command initiative or program eventually be competed and contractually implemented.

d. NETPDTC personnel shall not provide non releasable or confidential information from a Commercial Activities study to contractor representatives. This includes information found in the Government's Management Plan such as the Most Efficient Organization (MEO), Technical Performance Plan, In-house Government Estimates and Transition Plan. Also prohibited is the release of contractor proposal information to include the identity and number of proposed contract personnel, salaries, or other cost data from the contractor's proposal.

e. When NETPDTC develops a firm contract requirement, the Contracting Officer shall coordinate all discussions with industry. It is imperative that all contractors are treated fairly and have access to the same information during the acquisition process. Information deemed releasable by the Contracting Officer is provided to all prospective bidders at the same time so that none are given a competitive advantage.

4. **Action**. All Department Directors will ensure this notice is distributed within their areas of responsibility and that copy is attached to command bulletin boards. All NETPDTC employees are held responsible for compliance.

5. **Points of Contact**. Employees should contact their immediate supervisor, the NETPDTC Contracting Office (452-1001 ext 1551), the NETPDTC Command Evaluation Office (452-1001 ext 1557) or NETC Counsel (452-2054) prior to engaging in questionable discussions.



G. B. DYE

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